

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK**

PRISCILLA JIBOWU, Individually and on  
Behalf of All Other Persons Similarly Situated,

Plaintiff,

- v -

TARGET CORPORATION and TARGET  
CORPORATION OF MINNESOTA,

Defendants.

No. 17-cv-03875 (PKC)(MMH)

**PARTIES' FURTHER JOINT STATUS  
REPORT REGARDING THE  
COURT'S JUNE 2, 2022, ORDER  
STAYING THE CASE**

Per the Parties' joint motion and stipulation, on June 2, 2022, the Court ordered this case ("*Jibowu*") stayed pending the parallel litigation of *Babbitt et al. v. Target Corporation*, No. 20-4900-DWF-ECW (D. Minn.) ("*Babbitt*"). The Parties now submit this joint status report updating the Court regarding the status of *Babbitt* and requesting that the stay in *Jibowu* should remain in effect for an additional thirty (30) days, up to and including July 3, 2024.

The Parties have now completed their efforts to meet and confer over the treatment of late-filed consent to join forms, and the deadline to opt in to the *Babbitt* collective has passed. The *Babbitt* collective is now defined, though Target reserves the right to seek dismissal of any opt-in who fails to participate in discovery.

On January 29, 2024, after receiving briefs from both parties, the *Babbitt* court entered an order directing the parties to complete an initial "sample" phase of opt-in discovery on thirty (30) opt-ins "to allow common discovery issues to be resolved early in the case." (*Babbitt* Dkt. No. 363.) Once the sample phase of discovery is complete and all common discovery issues resolved, the Parties will schedule a hearing before the *Babbitt* court regarding the method of opt-in selection for more fulsome opt-in discovery targeted to a percentage of the overall collective.

The Parties continue to engage in productive meet and confer discussions regarding sample discovery, including but not limited to ESI search terms, up-the-chain custodians for ESI searches, and production of sample corporate documents. The current deadline to complete the sample phase of opt-in discovery is September 19, 2024; and all non-dispositive motions and supporting documents, including those that relate to sample fact discovery are due on or before October 4, 2024. (*Babbitt* Dkt. No. 368.)

On May 17, 2024, the Parties met and conferred regarding *Jibowu*. Plaintiffs proposed transferring *Jibowu* to the District Court for the District of Minnesota, where *Babbitt* is venued, and consolidating the cases. Target is considering the proposal. In the meantime, the Parties have agreed and respectfully request that the Court extend the stay in *Jibowu* until July 3, 2024. The Parties will file a further status report on or before that date.

Respectfully submitted,

Dated: Rye Brook, New York  
June 3, 2024

Dated: New York, New York  
June 3, 2024

By: /s/ Seth R. Lesser

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TARGET CORPORATION, also sued as  
TARGET CORPORATION OF  
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### **CERTIFICATE OF SERVICE**

I hereby certify that on June 3, 2024, a copy of the foregoing PARTIES' FURTHER JOINT STATUS REPORT REGARDING THE COURT'S JUNE 2, 2022, ORDER STAYING THE CASE was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Sara B. Tomezsko

Sara B. Tomezsko